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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/118,824 07/20/98 LEE

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EXAMINER

TRAN, T

ART UNIT PAPER NUMBER

2615

DATE MAILED:

02/02/01

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory ActionApplication No.
09/118,824

Applicant(s)

Lee et al

Examiner

Thai Tran

Group Art Unit
2615

THE PERIOD FOR RESPONSE: [check only a) or b)]

a) expires 3 months from the mailing date of the final rejection.

b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jan 19, 2001 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

The proposed amendment(s):

will be entered upon filing of a Notice of Appeal and an Appeal Brief.

will not be entered because:

- they raise new issues that would require further consideration and/or search. (See note below).
- they raise the issue of new matter. (See note below).
- they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

Applicant's response has overcome the following rejection(s):

Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:
see attachment.

The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: 1-22

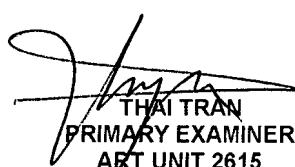
Claims objected to: _____

Claims rejected: 23-31, 33-50, and 52-61

The proposed drawing correction filed on _____ has has not been approved by the Examiner.

Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Other


THAI TRAN
PRIMARY EXAMINER
ART UNIT 2615

Art Unit: 2615

Response to Arguments

1. Applicant's arguments filed Jan. 19, 2001 have been fully considered but they are not persuasive.

In re pages 2-4, applicants argue that, as agreed during the interview on January 11, 2000, Enokida not only fails to disclose or suggest "each specific data includes the associated relative position data," recited in claim 23, but also would motivate one skilled in the art to separate store the administrative and moving image data, that, assuming one skilled in the art would have combined the teachings of Enokida with Yamagishi, the resulting art combination would have the administrative data stored separately from the moving image and fail to disclose or suggest "each specific data includes the associated relative position data," as recited in claim 23, and the examiner's expressed motivation for combining Enokida with Yamagishi does not exist and applicants submit that no good reasons exist for combining the teachings of Enokida with Yamagishi.

In response, the Examiner respectfully disagrees. It is noted that during the interview on January 11, 2000, it is not agreed that Enokida not only fails to disclose or suggest "each specific data includes the associated relative position data" but also would motivate one skilled in the art to separate store the administrative and moving image data because the interview summary (paper #6) dated Jan. 11, 2000 does not indicate such.

Art Unit: 2615

Yamagishi et al discloses in col. 18, lines 28-33 that "recorded in all the sectors in which Nth GOP is recorded as the I frame access data is the first sector No. in which for example, each I frame of the N+1th, N+3th, N+5th, N-5th, N-3th and N-1th GOP is recorded". From this passage, it is clear that **each specific data of Yamagishi et al includes the associated relative position data and each of the relative position data ... indicative of plurality of relative positions from a current nth specific data location to each of N+1th, N+3th, N+5th, N-5th, N-3th and N-1th.**

As recognize by applicants, Enokida discloses in columns 10-12 that the administrative information stored in disk 122 includes offset data identifying the position of intra-frames in the moving image data and during a fast playback mode, the offset data in the second disk 122 is used to access the intra-frame data in the first disk 125 for reproduction. It is noted that the claimed "relative position data ... indicative of plurality of relative position from a current nth specific data location to each of n+1, n+2, ... , n+m specific data location, where m is greater than 2" is met by the administrative information of Enokida because the administrative information stored in disk 122 includes offset data identifying the position of intra-frames in the moving image data.

Enokida further discloses in col. 1, lines 27-31 that the administrative information and moving image data can be stored in one recording medium. Thus, the combination of the references would not require the use of a second recording medium.

Additionally, as discussed above, **each specific data of Yamagishi et al includes the associated relative position data.** When Yamagishi et al and Enokida are combined as proposed

Art Unit: 2615

by the examiner, **the relative position data indicative of plurality of relative position from a current nth specific data location to each of n+1, n+2, ... , n+m specific data location of Enokida would be recorded along with each specific data of Yamagishi et al because each specific data of Yamagishi et al includes the associated relative position data.**

Enokida discloses in col. 12 that during fast playback every intraframes are reproduced from the recording medium. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Yamagishi et al and Enokida for the propose of reproduce all intraframes during fast playback.

Furthermore, Yamagishi et al discloses in col. 21, lines 11-15 that, **in the special reproduction of 4 foldspeed, two accesses are carried out instead of one access** and in col. 21, lines 30-34 that, **in the special reproduction of 13 foldspeed reproduction, four accesses are carries out instead of one access.** When Yamagishi et al and Enokida are combined as proposed by the examiner, **the two accesses and the four accesses disclosed in Yamagishi et al would be eliminated because, in any special reproduction, only one access is carried out.**

In re pages 4-5, applicants state that independent claims 33, 42, 52 and 60 include similar limitations to those discussed above with respect to claim 23 and therefore these claims are patentable at least for the reasons discussed above with respect to claim 23 and the remaining claimed rejected based on Yamagishi et al in view of Enokida, or rejected based on Yamagishi et al in view of Enokida and further in view of Naimpally, or rejected based on Yamagishi et al in view of Enokida and further in view of Official Notice are dependent on one of the above

Art Unit: 2615

discussed independent claims are therefore patentable at least for the reasons stated above with respect to those independent claims.

In response, as discussed above with respect with independent claim 23, the combination of Yamagishi et al and Enokida shows all the features of the claimed invention.

In re pages 5-6, applicants argue that it would have not been obvious to combine De Haan et al and Enokida because, as discussed above, Enokida not only fails to disclose or suggest "each specific data includes the associated relative position data," recited in claim 23, but also would motivate one skilled in the art to separately store the administrative and moving image data.

In response, as discussed above, similar to Yamagishi, De Haan et al discloses in col. 5, lines 57-60 the claimed **each specific data includes the associated relative position data**. The relative position data of De Haan et al indicates relative position from a current nth specific data location to N+1th specific data location.

As recognize by applicants, Enokida discloses in columns 10-12 that the administrative information stored in disk 122 includes offset data identifying the position of intra-frames in the moving image data and during a fast playback mode, the offset data in the second disk 122 is used to access the intra-frame data in the first disk 125 for reproduction. It is noted that the claimed "relative position data ... indicative of plurality of relative position from a current nth specific data location to each of n+1, n+2, ... , n+m specific data location, where m is greater than 2" is met by the administrative information of Enokida because the administrative information stored in disk 122 includes offset data identifying the position of intra-frames in the moving image data.

Art Unit: 2615

Enokida further discloses in col. 1, lines 27-31 that the administrative information and moving image data can be stored in one recording medium. Thus, the combination of the references would not require the use of a second recording medium.

Additionally, as discussed above, each specific data of De Haan et al includes the associated relative position data. When De Haan et al and Enokida are combined as proposed by the examiner, the relative position data indicative of plurality of relative position from a current nth specific data location to each of n+1, n+2, ... , n+m specific data location of Enokida would be recorded along with each specific data of De Haan et al because each specific data of De Haan et al includes the associated relative position data.

Enokida discloses in col. 12 that during fast playback every intraframes are reproduced from the recording medium. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Haan et al and Enokida for the propose of reproduce all intraframes during fast playback.

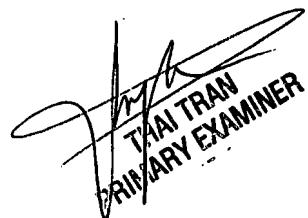
In re pages 6-7, applicants state that independent claims 33, 42, 52 and 60 include similar limitations to those discussed above with respect to claim 23 and therefore these claims are patentable at least for the reasons discussed above with respect to claim 23 and the remaining claimed rejected based on De Haan et al in view of Enokida, or rejected based on De Haan et al in view of Enokida and further in view of Naimpally, or rejected based on De Haan et al in view of Enokida and further in view of Official Notice are dependent on one of the above discussed

Art Unit: 2615

independent claims are therefore patentable at least for the reasons stated above with respect to those independent claims.

In response, as discussed above with respect with independent claim 23, the combination of De Haan et al and Enokida shows all the features of the claimed invention.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.



THAI TRAN
PRIMARY EXAMINER

TTQ

January 31, 2001